

AUDUBON HILL SOUTH CONDOMINIUM

SCHEDULE A

Parcel One: That certain parcel of land situated in Acton, Middlesex County, Massachusetts being shown as Lot 116 on a plan of land entitled "Plan of Land in Acton, Mass. Owned by High Street PCRC Trust" Scale 1 inch = 50 feet, dated October 15, 1990 and prepared by Acton Survey & Engineering, Inc., said plan being filed with the Land Court on October 18, 1990 as Land Court Plan No. 6683-2, and to which plan reference may be had for a more complete and accurate description of the premises.

Parcel Two: That certain parcel of land situated in Acton, Middlesex County, Massachusetts being shown as Lot S Audubon Hill South Condominium on a plan entitled "Plan Of Lot S Audubon Hill South Condominium Phase S-3 In Acton, Mass. Site Plan" Scale 1 = 80 feet, dated October 19, 1990, prepared by Acton Survey & Engineering, Inc., to be recorded herewith. Said Lot S includes within it Lot 116 on Land Court Plan No. 6683-2, being hereinbefore described as Parcel One. Lot S contains 1,235,084 square feet or 28.3536 acres, more or less according to said plan and to which plan reference may be had for a more complete and accurate description of the premises. Parcel Two is also shown as Lot S Audubon Hill South Condominium on a plan entitled "Plan of Development Property For Audubon Hill In Acton, Mass.," dated July 17, 1989, prepared by Acton Survey & Engineering, Inc., recorded as Plan No. 998 of 1989 in Book 20065, Page 415, with the Middlesex South District Registry of Deeds.

^{as is}
Included herein is so much of the fee in Audubon Hill and Brewster Drive located within Lot S as shown on the plan referred to in Parcel Two.

^{which plan?}
Specifically excluded is that certain parcel of land described as Lot E Elderly Center and shown on the plan referred to in Parcel Two.

Parcel One and Two are conveyed subject to and with the benefit of all easements, rights, restrictions and agreements of record, including, but not limited to the following:

1. Development Agreement by and between PCRC Trust and the Town of Acton, dated October 9, 1989, recorded in Book 18611, Page 447 with the Middlesex South District Registry of Deeds and filed as Document No. 758064 with the Middlesex South Registry District of the Land Court.
2. First Option Agreement by and between PCRC Trust and the Town of Acton, dated October 9, 1990, recorded in Book 18611, Page 459, said Deeds and filed as Document No. 758065, said Registry District.

3. Subordinated Option Agreement by and between PCRC Trust and the Town of Acton, dated October 9, 1989, recorded in Book 18611, Page 480, said Deeds and filed as Document No. 758067, said Registry District.

4. Order of Conditions Under the Wetlands Protection Act issued by the Town of Acton Conservation Commission recorded in Book 19722, Page 505, said Deeds and filed as Document No. 795846, said Registry District.

5. Decision, Planned Conservation Residential Community Special Permit, Audubon Hill, issued by the Town of Acton Planning Board dated March 4, 1989, recorded in Book 19722, Page 511, said Deeds and filed as Document No. 795847, said Registry District.

6. Comprehensive Development Agreement by and between PCRC Trust and the Town of Acton dated June 23, 1989, recorded in Book 19966, Page 008, said Deeds and filed as Document No. 803573, said Registry District, as affected by Supplemental Agreement dated October 27, 1989, recorded in Book 20205, Page 227, said Deeds.

7. Audubon Hill Conservation Restriction dated August 30, 1989, recorded in Book 20065, Page 420, said Deeds.

8. Restrictive Covenant granted by R. Smith Associates, Inc to the Town of Acton dated, October 24, 1989, recorded in Book 20205, Page 234, said Deeds.

9. Easement granted by R. Smith Associates, Inc to the Inhabitants of the Town of Acton, dated October 19, 1989, recorded in Book 20299, Page 505, said Deeds.

10. Audubon Hill Conservation Restriction dated December 19, 1989, recorded in Book 20365, Page 317, said Deeds.

11. Terms, conditions and provisions of Massachusetts General Laws Chapter 183A, as amended.

12. Subject to the reservation of the right and obligation of the Declarant, his heirs, successors and assigns to complete the construction of the Elderly Center on that certain parcel designated as Lot E Elderly Center on the hereinbefore mentioned plan and to convey the same to the Audubon Hill South Condominium Association, Inc. and the Audubon Hill North Condominium Association, Inc. (if the Audubon Hill North Condominium is created) which Associations shall lease the Elderly Center to the Town of Acton in accordance with the terms and conditions of the Comprehensive Development Agreement.

13. Said premeises are conveyed together with the right to use that certain parcel of land shown as Lot R Recreation Center on the

hereinbefore mentioned plan, subject to the rules and regulations, common charges and fees to be promulgated and in common with others lawfully entitled to use the same.

14. Subject to the Terms conditions, easements and reservations as set forth in an Easement and Reservation Agreement, to be recorded herewith.

For Declarants Title, see Deed from Roy C. Smith, Trustee of High Street PCRC Trust to R. Smith Associates, Inc. dated July 24, 1989, recorded in Book 19966, Page 308, with the Middlesex South District Registry of Deeds and filed as Document No. 803575, with the Middlesex South Registry District of the Land Court.